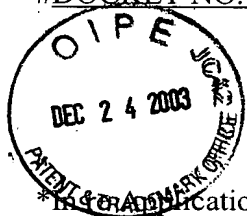


#DOCKET NO: P-8794.05 C2

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL

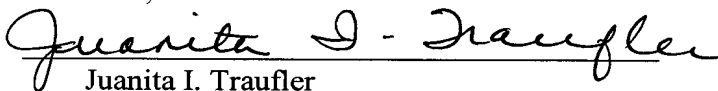
Application of: Peter Paul Zilla et al

Serial No.: 10/627,114

Filed: July 25, 2003

For: Transmural Concentric Multilayer Ingrowth Matrix within Well-Defined Porosity

CERTIFICATE OF MAILING UNDER 37 CFR 1.8: I hereby certify that this **TRANSMITTAL** and the paper(s), as described herein, are being deposited in the U.S. Postal Service, as first class mail, addressed to the Commissioner for Patents, Mail Stop Box Missing Parts, P.O. Box 1450, Alexandria, VA 22313-1450 on this 22 day of DECEMBER, 2003.


Juanita I. Traufler

Mail Stop Box Missing Party
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

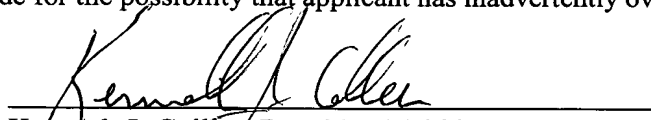
We are transmitting herewith the attached:

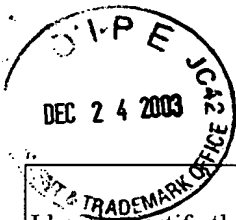
- ☒ Transmittal
- ☒ Notice to Comply with Requirements for Patent Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosure Response
- ☒ Return Postcard

FEE CALCULATION

- ☒ Pursuant to Extension of Time Under 37 CFR §1.136.(a)
- ☒ Please charge any additional fees or credits to Deposit Account No. 13-2546 which may have been overlooked on this Transmittal with regard to this filing. A duplicate of this transmittal is enclosed.
- ☒ Applicant believes that no extension of term is required. However, if an extension of time is required, please consider this a petition therefor to provide for the possibility that applicant has inadvertently overlooked the need for an extension of time.

December 19, 2003
Date


Kenneth J. Collier, Reg. No. 34,982
Medtronic, Inc.
710 Medtronic Parkway NE
Minneapolis, MN 55432
Telephone: (763) 505-2521



CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date appearing below.

Medtronic Inc.

By Juanita I. Traufler
Juanita I. Traufler

Date 12-22-03

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Zilla, Peter et al.)
Serial No. : 10/627,114)
Filed : July 25, 2003) Group Art Unit:
For : Transmural Concentric Multilayer Ingrowth) 3738
Matrix Within Well-Defined Porosity) Examiner:
Docket No. : P8794.05 Continuation 2) Phan, Hieu

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID
SEQUENCE DISCLOSURE**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

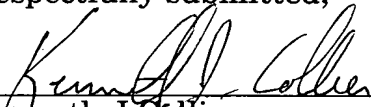
Applicants filed a continuing application to serial number 10/142,957 (now issued patent US 6,554,857) to prosecute the non-elected claims 71-87 (Now serial number 10/627,114; Attorney Docket No. P8794.05 c2). Contained with the submitted documents was also a request to use the prior submitted sequence listing. Applicants request to use the former sequence listing was submitted in error.

Applicants request that the prior request to use the former sequence listing be withdrawn and thereby further submit that the need to comply with the present requirement has been rendered moot and respectfully also request the notice to submit a sequence disclosure be withdrawn.

In the alternative should applicants first requests be denied, they then

respectfully request an extension of time be granted under 37 CFR 1.136(a) to either appeal the denial of their first request or to submit the requested sequence listing. Applicants authorize the office to charge their Deposit Account No. 13-2546 any necessary fees for the requested extension of time should their first requests not be granted.

Respectfully submitted,

 12-19-03
Kenneth J. Collier
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Minneapolis, MN 55432
Phone: 763-505-2521